



Docket No. UGA-855R
Serial No. 09/802,208

1638
#18
Election

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

on February 21, 2003

Timothy H. Van Dyke
Timothy H. Van Dyke, Patent Attorney

RECEIVED

MAR 03 2003

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Parrot et al.
Examiner : Ashwin D. Mehta
Art Unit : 1638
Docket No. : UGA-855R
Serial No. : 09/802,208
Filed : March 8, 2001
For : ARABITOL OR RIBITOL AS POSITIVE SELECTABLE MARKERS

Commissioner of Patents
Washington, DC 20231

ELECTION OF SPECIES UNDER 35 U.S.C. § 121

Sir,

This is in response to the PTO communication mailed in the captioned application on February 5, 2003, which set a shortened statutory response period of one month.

Remarks

Claims pending in this application are claims 1-18.

Election of Species:

Applicants hereby elect Species D: transgenic plants and claims 1-12 readable thereon for further prosecution in the subject application.

Applicants, however, assert that the generic linking claim is allowable and therefore, this election is deemed unnecessary. Applicants reserve the right to reinstate non-elected species upon indication of an allowable generic linking claim.

Applicants further assert that all claims are in a condition for allowance, and such action is respectfully requested. Applicants invite the Examiner to call the undersigned if clarification is needed on any aspect of this response after entrance and consideration of the remarks presented herein.

Respectfully submitted,



Timothy H. Van Dyke
Patent Attorney
Registration No. 43,218
CUSTOMER NO.: 29847
Phone No.: 407-240-0085
Fax No.: 407-240-1007